

2160

PARTIAL RELEASE OF LAND FROM MORTGAGE

STATE OF ALABAMA)

JEFFERSON COUNTY)



19770928000102420 1/3 \$.00
Shelby Cnty Judge of Probate, AL
09/28/1977 12:00:00 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That whereas the undersigned, Eugene M. McLain and Geraldine P. McLain, are the owners and holders of record of that certain mortgage executed by Allen J. Montgomery and wife, Jacqueline Jones Montgomery, and James Thornton and wife Charlotte Thornton, to the undersigned and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Mortgage Book 341, Page 168, in which mortgage the following described land and other land is described and conveyed; and:

WHEREAS, for the consideration herein set out, the said Eugene M. McLain and wife, Geraldine P. McLain, have agreed to release from the lien of said mortgage the hereinafter described land.

Now, Therefore, in consideration of the premises and the sum of One Dollar (\$1.00) paid to the said Eugene M. McLain and Geraldine P. McLain by the above mortgages on the execution and delivery of this instrument, the receipt of which sum is hereby acknowledged, the said Eugene M. McLain and Geraldine P. McLain, do hereby release, remise, convey and quitclaim unto the said Allen J. Montgomery and wife, Jacqueline Jones Montgomery, and James Thornton and wife, Charlotte Thornton, their heirs and assigns from the lien, operation, and effect of said mortgage the land described in said mortgage which is described as follows, to-wit:

*Citizens Bank & Trust Co.
P.O. Box 966, Alabaster*

BOOK 21 PAGE 897



19770928000102420 2/3 \$.00
Shelby Cnty Judge of Probate, AL
09/28/1977 12:00:00 AM FILED/CERT

Commence at the SW corner of the SE1/4 of the SW1/4 of Section 12, Township 20 South, Range 3 West Shelby County, Alabama; thence north along the west line of said quarter-quarter section 522.37 feet to a point; thence 31°20'05" right 225.38 feet to the point of beginning; thence continue along the last stated course 44.21 feet; thence 59°48'50" right 413.67 feet to the NW right of way line of U.S. Highway 31 South; thence 115°56'05" right and along said right of way 225.00 feet; thence 90°00'00" right 375.28 feet to the point of beginning and containing 1.151 acres more or less.

As to all other land described and conveyed in said mortgage, the lien therefore shall remain in full force and effect unaffected by this release.

To have and to hold said tract or parcel of land unto the said Allen J. Montgomery and wife, Jacqueline Jone Montgomery, and James Thornton and wife, Charlotte Thornton, their heirs and assigns forever.

This release is given for the purpose of enabling said mortgages to make a valid conveyance of said lands free and clear of lien of said mortgage and as an inducement to James E. Kelley to acquire said land.

IN WITNESS WHEREOF, the undersigned have set their hands and seals on this _____ day of September, 1977.

Eugene M. McLain
Eugene M. McLain

(SEAL)

Geraldine P. McLain
Geraldine P. McLain

(SEAL)

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Eugene M. McLain and wife, Geraldine P. McLain whose names are signed to the foregoing Partial Mortgage Release, are known to me, acknowledged before me on this day, that, being

informed of the contents of the foregoing Partial Mortgage Release
and who are know to me, acknowledged before me on this day, that,
being informed of the contents of this Partial Mortgage Release
they have executed the same voluntarily on the day the same bears
date.

Given under my hand and official seal this 26th day of

September, 1977.



19770928000102420 3/3 \$.00
Shelby Cnty Judge of Probate, AL
09/28/1977 12:00:00 AM FILED/CERT

Claude W. Cain
Notary Public

BOOK 21 PAGE 839

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1977 SEP 28 AM 10:22 Rec. 450
5.50

Thomas A. Cunningham
JUDGE OF PROBATE